

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.

Defendants.

Case No. 2:23-CV-00103-JRG-RSP

JURY TRIAL DEMANDED

**NOTICE WITHDRAWING
PROSECUTION LACHES DEFENSE**

Pursuant to the Court's instructions in an April 29, 2025 email, Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung") file this Notice confirming that Samsung withdraws the following affirmative defense asserted in Samsung's Answer and Defenses to Headwater's First Amended Complaint for Patent Infringement (Dkt. 85):

- Tenth Affirmative Defense (Prosecution Laches)

Dated: May 2, 2025

Respectfully submitted,

By: /s/ Jonathan B. Bright
Ruffin B. Cordell
TX Bar No. 04820550
Michael J. McKeon
DC Bar No. 459780
mckeon@fr.com
Jared Hartzman
DC Bar No. 1034255
hartzman@fr.com
Brendan F. McLaughlin

DC Bar No. 1671658
BMcLaughlin@fr.com
FISH & RICHARDSON P.C.
1000 Maine Avenue, SW, Ste 1000
Washington, D.C. 20024
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

Thad C. Kodish
GA Bar No. 427603
tkodish@fr.com
Benjamin K. Thompson
GA Bar No. 633211
bthompson@fr.com
Jonathan B. Bright
GA Bar No. 256953
jbright@fr.com
Christopher O. Green
GA Bar No. 037617
cgreen@fr.com
Noah C. Graubart
GA Bar No. 141862
graubart@fr.com
Sara C. Fish
GA Bar No. 873853
sfish@fr.com
Katherine H. Reardon
NY Bar No. 5196910
reardon@fr.com
Nicholas A. Gallo
GA Bar No. 546590
gallo@fr.com
Vivian C. Keller (*pro hac vice*)
GA Bar No. 651500
keller@fr.com
Peter Hong (*pro hac vice*)
GA Bar No. 365188
hong@fr.com
FISH & RICHARDSON P.C.
1180 Peachtree St. NE, Fl. 21
Atlanta, GA 30309
Telephone: (404) 892-5005
Facsimile: (404) 892-5002

Leonard E. Davis
TX Bar No. 05521600

ldavis@fr.com

Andria Rae Crisler

TX Bar No. 24093792

crisler@fr.com

Thomas H. Reger II

Texas Bar No. 24032992

reger@fr.com

FISH & RICHARDSON P.C.

1717 Main Street, Suite 5000

Dallas, TX 75201

Telephone: (214)747-5070

Facsimile: (214) 747-2091

John-Paul R. Fryckman (*pro hac vice*)

CA Bar No. 317591

John W. Thornburgh

CA Bar No. 154627

thornburgh@fr.com

FISH & RICHARDSON P.C.

12860 El Camino Real, Ste. 400

San Diego, CA 92130

Telephone: (858) 678-5070

Facsimile: (858) 678-5099

Katherine D. Prescott (*pro hac vice*)

CA Bar No. 215496

prescott@fr.com

FISH & RICHARDSON P.C.

500 Arguello Street

Suite 400

Redwood City, CA 94063

Telephone: (650) 839-5180

Facsimile: (650) 839-5071

Kyle J. Fleming (*pro hac vice*)

NY Bar No. 5855499

kflaming@fr.com

Meghana Thadani

NY Bar No. 5851902

thadani@fr.com

FISH & RICHARDSON P.C.

7 Times Square, 20th Floor,

New York, NY 10036

Telephone: (212) 765-5070

Facsimile: (212) 258-2291

Melissa R. Smith
State Bar No. 24001351
Melissa@gillamsmithlaw.com
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Andrew Thompson ("Tom") Gorham
State Bar No. 24012715
tom@gillamsmithlaw.com
James Travis Underwood
Texas Bar No. 24102587
travis@gillamsmithlaw.com
GILLAM & SMITH, LLP
102 N. College, Suite 800
Tyler, Texas 75702
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Michael E. Jones
State Bar No. 10929400
mikejones@potterminton.com
Shaun W. Hassett
State Bar No. 24074372
shaunhassett@potterminton.com
POTTER MINTON, P.C.
102 N. College Ave., Suite 900
Tyler, Texas 75702
Telephone: (903) 597-8311
Facsimile: (903) 593-0846

Lance Lin Yang
CA. Bar No. 260705
Lanceyang@quinnemanuel.com
Kevin (Gyushik) Jang
CA Bar No. 337747
kevinjang@quinnemanuel.com
Sean S. Pak
CA Bar No. 219032
seanpak@quinnemanuel.com
**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**
50 California Street, 22nd Floor

San Francisco, CA 94111
Telephone: (415) 875-6600

Brady Huynh (admitted *pro hac vice*)

CA Bar No. 339441

bradyhuynh@quinnemanuel.com

**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**

555 Twin Dolphin Drive, 5th Floor

Redwood Shores, CA 94065

Telephone: (650) 801-5000

Facsimile: (650) 801-5100

Jon Bentley Hyland

Texas Bar No. 24046131

jhyland@hilgersgraben.com

Grant K. Schmidt

Texas Bar No. 24084579

gschmidt@hilgersgraben.com

HILGERS GRABEN PLLC

7859 Walnut Hill Lane, Suite 335

Dallas, Texas 75230

Telephone: (972) 645-3097

Attorneys for Defendants,

Samsung Electronics Co., Ltd. and

Samsung Electronics America, Inc.

CERTIFICATE OF CONFERENCE

Counsel for Plaintiff and counsel for Defendants have complied with the meet and confer requirements of Local Rule CV-7(h). Plaintiff does not oppose Defendants' withdrawal of the prosecution laches defense.

/s/ Jonathan B. Bright

Jonathan B. Bright

CERTIFICATE OF SERVICE

I certify that on May 2, 2025 counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system.

/s/ Jonathan B. Bright

Jonathan B. Bright